

Torney Docket No. 98-13
PATENT

14 50
94. (new) The apparatus of claims 1, 2, 3, 4, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93 or 94 wherein the plurality of reaction vessels is at least twelve reaction vessels and the plurality of flow restrictors or regulators is at least twelve flow restrictors or regulators.

REMARKS

Claims 4-8, 15-31, 35-40, 48, 61, 62, 71, 72, 74, 76-78 and 82-94 are now pending. Applicants respectfully request reconsideration and further examination of the present application in view of the foregoing amendments and the following remarks.

Interviews

Applicants thank the Examiners for the courtesy of telephone interviews on May 15, 2000, and on May 17, 2000 during which the pending claims and prior art of record were discussed, including in particular, EP 870541 A2 (and the corresponding US Patent No. 5,993,750 to Ghosh *et al.*), and U.S. Patent No. 3,881,872 to Naono. During the interviews, the Examiner indicated that the rejections set forth in the previous Office action had been overcome by Applicants Amendment B. The Examiner also indicated, upon consideration of the art of record (including the art submitted in connection with the Information Disclosure Statement after the previous Office action), that claims 17-31, 71, 72 and 74 were considered to be in condition for allowance. The Examiner further indicated that claims 4-7, 16, 35-40, 48, 61 and 62, together with claims dependent therefrom, would be allowable if rewritten to include the requirements of the independent claim from which they depend, as well as any intervening claims. During the aforementioned telephone interviews, the Examiner likewise indicated that new claims 93, together with claims depending therefrom, are in condition for allowance.

Cancelled Claims

Claims 1-3, 9-14, 32-34, 41-47, 63-70, 73, 75 and 79-81 have been cancelled to advance the prosecution of the instant case in view of the aforementioned interview. Applicants expressly reserve the right to refile the cancelled claims, without prejudice, in a continuing application. Applicants' cancellation of these claims should not, in any way, be considered as an admission with respect to any outstanding rejections applying to such claims, and Applicants hereby expressly deny any such interpretation. Likewise, Applicants cancellation of these claims should not, in any way, be considered as a surrender of any subject matter covered by the cancelled claims or any equivalents thereof, and Applicants hereby express their intent to pursue patent coverage for such subject matter and equivalents thereof.

Amendments to the Claims

Claims 4, 6, 7, 16, 35, 37, 40, 48, 61 and 62 have each been amended to rewrite these claims in independent form. Claims 8 and 15 have been amended to depend from certain independent claims (rather than from claim 1). Claims 76-78 have been amended to depend from claim 93 (rather than from claim 75). Claims 82-92 have been amended to depend from certain independent claims, in view of the claim amendments and claim cancellations presented herein.

New Claims

New claims 93 and 94 have been added to more particularly point out and distinctly and specifically claim certain preferred embodiments of the invention. Support for claim 93 can be found in the specification, for example, at page 21, lines 21-28, and with reference to Figures 2, 8, 9 and 10.

No new matter has been added by any of the new claims.

In view of the foregoing amendments and remarks, Applicants submit that each of the pending claims (claims 4-8, 15-31, 35-40, 48, 61, 62, 71, 72, 74, 76-78 and 82-94) are now in condition for allowance, and respectfully request notice of the same.

Applicants respectfully request that the Examiner charge Deposit Account No. 50-0496 in the amount of \$ 303 for the fees required under 37 CFR §1.16(b) and §1.16(c). The Examiner is also authorized to charge any underpayment or to credit any overpayment of the above referenced fees to this Deposit Account.

Respectfully submitted,

Date: 5-18-00



Paul A. Stone Registration No. 38,628
SYMYX TECHNOLOGIES, INC.
3100 Central Expressway
Santa Clara, California 95051
(408) 764-2016